

Serial No.: 10/603,497
Amdt. Dated: November 29, 2004
Reply to Office action of August 31, 2004

125163-1

REMARKS

In the Office Action mailed August 31, 2004, claims 1 and 2 were rejected under 35 U.S.C. 102, as being anticipated by an US patent No. 6,715,200 and claims 3 – 31 were objected to as being dependent upon a rejected base claim. In response, the Applicants have amended claims 1 and 20 and urge that, especially as amended, the claims recite patentable subject matter. The Applicants request that claims 12-14, 16, and 22-25 be cancelled. Claims 1-11, 15, 17-21 and 26-31 remain pending in this application.

35 U.S.C. § 102 (e) Rejection

The claims 1 and 2 have been rejected as being anticipated by Feist et al. (U.S. Patent 6,715,200; hereinafter "Feist"). The present invention claims an article for storage of data comprising a thermoplastic substrate, wherein the thermoplastic is a polyimide composition having a mechanical dampening coefficient of at least about 0.028 at 50 °C at a frequency of about 1.6 hertz (disclosed in paragraph 0026 page 15, line 10-14 "In another embodiment of the present invention, the substrate, comprising a polyimide comprising structural units (I) preferably has a mechanical damping coefficient of at least about 0.022 or at least about 0.028 measured at a temperature of about 50°C and at a frequency of about 1.6 Hz."). The Feist reference neither discloses nor suggests the limitation that the thermoplastic substrate material have a mechanical damping coefficient of at least about 0.028 measured at a temperature of about 50°C. In addition, the Applicants' data demonstrate that not all the thermoplastic substrate compositions have the required mechanical damping coefficient. For example, Comparative Example 2 (Table 1, Page 19 of the application) is a polymer essentially identical to the ULTEM 1010 disclosed in the Feist reference. Neither the substrate material of Comparative Example 2 nor ULTEM 1010 possesses the required mechanical damping coefficient value.

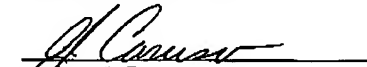
Claims 3-31 are dependent on claims 1 or 20. The Applicants urge that especially as amended claims 1 and 20 recite patentable subject matter. It follows then that dependent claims 3-31 likewise recite patentable subject matter.

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In view of the foregoing arguments and remarks, the Applicants believe that each of claims 1-11, 15, 17-21 and 27-31 is now in condition for allowance. The Applicants thus courteously solicit a review of the arguments made with respect to these claims and prompt allowance of claims 1-11, 15, 17-21 and 27-31. Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact the Applicants' undersigned representative at the telephone number below.

Respectfully submitted,


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